

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-18 were pending and rejected. In this response, no claim has been canceled. Claims 1, 7, and 13 have been amended. No new matter has been added.

Claims 1-3, 5-9, 11-15, and 17-18 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, and 8 of U.S. patent 6,175,884. In view of the foregoing amendments, it is respectfully submitted that the obviousness-type double patenting rejection has been overcome. If the Examiner maintains such a rejection, a terminal disclaimer will be submitted when the present application is in condition of allowance.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,920,705 of Lyon et al. ("Lyon"). In view of the foregoing amendments, it is respectfully submitted that claims 1-18 include limitations that are not disclosed by Lyon. Specifically, independent claim 1 recites as follows:

1. An apparatus of a data processing system, comprising:
a communication stack to communicate with another apparatus within the data processing system over a point-to-point interconnect, the communication stack having a transaction layer, a data link layer, and a physical layer, the transaction layer to transmit a plurality of packets to the another apparatus in serial over the point-to-point interconnect, each packet having a packet header, the packet header including a first field to extend one of a second field and a third field depending on the contents of the second field.

(Emphasis added)

Independent claim 1 includes a communication stack that communicates with another device within a data processing system over a point-to-point interconnect. Each of the packets transmitted over the point-to-point interconnect includes a packet header including a first field to extend one of a second field and a third field depending on the contents of the second field. It is respectfully submitted that Lyon fails to disclose the above limitations.

Rather, Lyon is related to packets switching among the networking devices, instead of devices within the same data processing system over a point-to-point interconnect as claimed in the present application. Therefore, it is respectfully submitted that independent claim 1 is not anticipated by Lyon.

Similarly, independent claims 7 and 13 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, independent claims 7 and 13 not anticipated by Lyon.

Given that the rest of the claims depend from one of the above independent claims, at least for the reasons similar to those discussed above, it is respectfully submitted that rest of the claims are not anticipated by Lyon.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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